

A.D. 10.3, Legal Assistance To Prisoners
Prepared for signature 2/20/99 - effective 3/15/99

1. Policy. The Department shall provide for an inmate's access to courts and for legal assistance through a contracted legal firm.
2. Authority and Reference.
 - A. Connecticut General Statutes, Section 18-81.
 - B. American Correctional Association, Standards for Adult Correctional Institutions, Third Edition, January 1990, Standards 3-4262 through 3-4264.
 - C. American Correctional Association, Standards for Adult Local Detention Facilities, Third Edition, March 1991, Standards 3-ALDF-3E-01 through 3-ALDF-3E-01.
 - D. Administrative Directive 2.17, Employee Conduct.
3. Access to Court. The Department of Correction shall contract with a law firm/agency to provide legal assistance to inmates and inmate access to the civil judicial system. Designated staff at each facility shall expedite access to the contracted vendor through assistance in supportive functions (e.g., legal phone calls, photocopying as appropriate, etc.).
4. Scope of Services. The contract services shall be limited to rendering assistance which shall include identifying, articulating and researching legal claims and enabling inmates with access to the judicial system through advice, counsel and physical preparation of meaningful legal papers such as writs, complaints, motions and memorandum of law for claims having legal merit. The meaningful papers referred to shall be limited to those which are needed to give prisoners a reasonably adequate opportunity to present, among other claims, claimed violations of fundamental constitutional rights to the courts, either as a plaintiff seeking judicial relief or as a defendant opposing such relief. Access to the Court shall not include representation before the Court or the filing of an Appearance in a civil case, unless otherwise excepted in the contract as it pertains to Connecticut Correction Institution York or by request of the Commissioner or his designee.
5. Special Attorney for Connecticut Correction Institution York. The contract shall provide for a full time attorney to represent the Connecticut Correctional Institution at York in family matters including, but not limited to, divorces, child custody, and Department of Children and Families proceedings. The attorney shall be present at Connecticut Correctional Institution at York at least one (1) day or its equivalent each week. In exceptional circumstances, the attorney shall be permitted to cover continuances and calendar calls in non-Connecticut Correctional Institution at York cases arising in the court in which the attorney is already scheduled to be present.
6. Request for Legal Assistance. Information regarding legal assistance shall be made available to inmates through posted notices, inmate handbooks or orientation information. Each unit shall establish procedures for inmates to request legal assistance. It shall be the responsibility of the contractor to install and maintain a toll free number to facilitate access to the program by inmates.

7. Case Records and Confidentiality. The contractor shall maintain inmate case records documenting all pertinent interactions with inmates. Inmate case records shall include individual and/or group counseling sessions, intake sheets, investigative reports, notes, legal documents prepared for the inmate as a result of said interaction(s) and legal research. Appropriate confidentiality shall be maintained in accordance with the applicable rules of professional conduct and as stated in the contract.
8. Reports. The contractor shall provide the Department with statistical, financial, and programmatic information for the purposes of monitoring and evaluating programs and establishing management information systems.
9. Conduct of Contract Staff. Contract vendor staff, while in a correctional facility, shall be required to conduct themselves in a professional manner and abide by all Department of Correction policy, to include Administrative Directive 2.17, Employee Conduct. In addition, special work rules shall be included in the contract, which shall apply to the contract vendor staff.
10. Training. Designated staff at each facility shall be trained on the appropriate provisions of the contract.
11. Inmate Communication. In the event that an inmate needs to correspond with another inmate in regard to a pending legal matter, that inmate shall seek an appropriate court order to do so. The inmate seeking the court order may request the assistance of the contract vendor in this process.
12. Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.